

SECTOR  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

Michel GARRAIT et al. )

Serial No.: 09/350,152 )

Group Art Unit:

Filed: July 9, 1999 )

Examiner:

For: PROCESS FOR THE PREPARATION OF  
HYDROXYMETHYLBUTYRIC ACID

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention:

BOX MISSING PART

Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

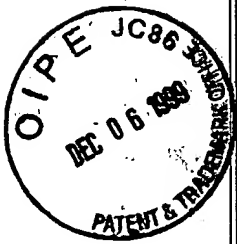
In response to the Notice To File Missing Parts dated August 4, 1999, enclosed is the Declaration, a copy of the Notice To File Missing Parts and the literal translation of the above-identified patent application which was filed on July 9, 1999, in accordance with §608.01 of the MPEP, Filing of Non-English Language Applications. Also enclosed is a verification by the translator testifying to the accuracy of the translation.

Also enclosed is a check in the amount of \$130.00 to cover the surcharge for the delayed filing of the declaration.

Please associate this Declaration and translation with the application as filed on July 9, 1999, and assigned serial number 09/350,152.

LAW OFFICES


FINNEGAN, HENDERSON,  
FARABOW, GARRETT,  
& DUNNER, L.L.P.  
1300 I STREET, N.W.  
WASHINGTON, D. C. 20005  
202-408-4000



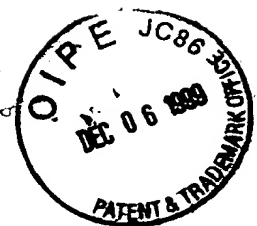
If there are any other fees due in connection with the filing of the Response,  
please charge the fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:   
Ernest F. Chapman  
Reg. No. 25,961

Dated: December 6, 1999  
EFC/FPD/mld  
Enclosures



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/350,152	07/09/99	GARRETT	M 03806.0456

0232/0804  
FINNEGAN HENDERSON FARABOW  
GARRETT & DUNNER LLP  
1300 I STREET N W  
WASHINGTON DC 20005-3315

NOT ASSIGNED

0000

DATE MAILED:

08/04/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☒ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

1-9-99 FPD USD(MLO)  
03806-0456  
10-11-99 W/EP  
DECC-SCH 6 ENL  
NO 1-  
12/06/1999 RTSGATE 00000006 0935012 130.00 DP  
01 1339  
U.S. IPO: 1998-446-824